

Docket No.: 057810-0085



DAC ^{tw}
RCE\$

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
:
Masayuki HATA, et al. : Confirmation Number: 1109
:
Application No.: 10/766,031 : Group Art Unit: 2815
: Allowed: August 10, 2006
Filed: January 29, 2004 : Examiner: N. Drew Richards
:

For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

PETITION FOR WITHDRAWAL FROM ISSUE (37 CFR 1.313)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Applicant hereby petitions for the withdrawal of this application from issue.
2. The issue fee for this case
 - a. ☐ has NOT been paid, but is due for payment on .
 - b. ☒ has been paid on March 2, 2007.

This application is scheduled to

☒ issue on May 8, 2007.

☐ as patent .

3. The reason for the request for withdrawal from issue is: 04/20/2007 YPOLITE1 00000055 500417 10766031
02 FC:1464 130.00 DA
 - a. ☐ there has been a mistake on the part of the Office.
 - b. ☐ there has been a violation of Section 1.56, or illegality in the application.
 - c. ☐ one or more of the claims are unpatentable.

- d. ☐ for purposes of declaring an interference.
- e. ☒ other - Request for Continued Examination (RCE) and Information

Disclosure Statement citing new documents..

4. The petition fee (37 CFR 1.17(h)) is paid as follows:

- ☐ Enclosed is a check in the sum of \$130.00.
- ☒ Charge Account 500417 the sum of \$130.00. A duplicate of this petition is attached.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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Date: April 19, 2007

**Please recognize our Customer No. 20277
as our correspondence address.**